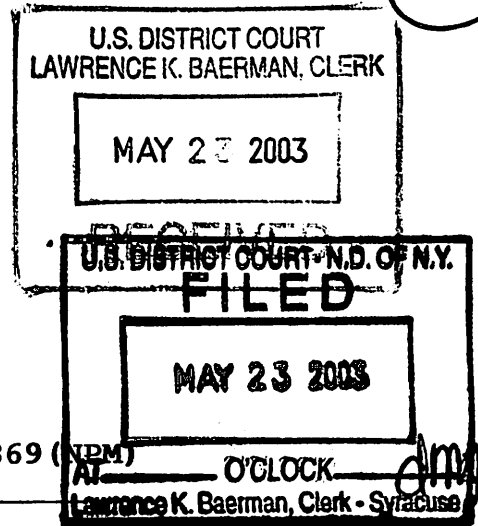


Jaime A. Davidson
Reg. No. 37593-053 (B-4)
U.S.P. Pollock
P.O. Box - 2099
Pollock, LA 71467

May 17, 2003

Hon. Neal P. McCurn, S.J.
United States District Court
P.O. Box - 7365
100 South Clinton Street
Syracuse, N.Y. 13261-7365

RE: UNITED STATES v. JAIME A. DAVIDSON
CRIM. NO. 92-CR-35/CIVIL NO. 5:00-CV-869 (NPM)
APPEAL NO. 01-2370



OPEN LETTER TO THE HON. NEAL P. McCURN, S.J.

TO THE HONORABLE JUDGE OF SAID COURT;

MAY IT PLEASE THIS COURT:

Dear Hon. McCurn, S.J.:

The sole and dominant purpose of this open letter, stems around all the injustices being done against my person. Since January of 2001 to date, I have objected against Your Honor's "Ex-Parte Communication", and filed an Affidavit/Motion of Recusal against Your Honor and yet still, it all has fell on deaf/dead ears. Your Honor for years has declined to recuse himself and/or respond to said Affidavit of Recusal on the record, based on said illicit act of Judicial Misconduct (i.e., instructing your Law Clerk, (Judy), to contact/investigate one of my key witnesses, Former Appellate Attorney, Mr. Louis M. Freeman, Esq., to authenticate his "Statement of Affirmation" off the record (which is a prohibited violation), in hopes to allegedly attempt to prove that I had submitted a fraudulent Document/Affidavit on the record).

Moreover, for approximately three (3) years to be exact on May 30th, 2003, since I have submitted my \$ 2255 Habeas Corpus Petition, Your Honor has been protecting my Former Trial

Attorney, Mr. John F. Laidlaw, Esq., after soliciting additional representation funds from my family, robbing them of their hard earned money (while still being paid by the Government under the "Criminal Justice Act (CJA)", using racially discriminatory slurs i.e., "you people" (meaning "you ni---rs"), against my family, New Yorkers and myself, and declining to turn over all of my Discovery Materials to Mr. Freeman, Esq., causing extreme prejudice and hindering my Direct Appeal.

Now, enough is enough Your Honor. This N.D.N.Y. District Court has been withholding too many motions, legal documents and/or correspondences from my Docket Sheet (e.g., the most recent one, is the cassette tape and transcripts with Dr. Rigle mailed to Your Honor by the Youth Task Force on May 5th, 2003, via, U.S. Express Mail), which factually supports my claims of being actually (factually) innocent, of the murder by "friendly fire" and/or "assassination" of Officer, Wallie Howard, Jr.). Thus, Your Honor's actions being partial, biased and favoring the Government's Misconduct, has knowingly, intentionally and voluntarily made Your Honor an accomplice after the fact to said conspiratorial scheme and to the Fraud committed upon the Court.

Nevertheless, Your Honor's Show Cause Order on May 18th, 2003, instructing Mr. John G. Duncan, Esq., (the prosecutor representing the United States), to respond to my Motion For New Trial in light of Affidavits, derived from my submission of the telephone tape recorded interview "transcripts" with Mr. David A. Rigle, M.D., admitting that the Government had lied to him and factually pointing towards my innocence. But, Mr. Duncan waived his right pursuant to the Federal Rules of Civil Procedures (Rule 8(d)), to respond with opposing Affidavits and omitting any mention of said tape recorded transcripts, only because he has personal knowledge that Your Honor is covering-up all his illicit acts of Prosecutorial Misconduct.

In addition, on May 16th, 2003, I was in receipt of a letter by Mr. Duncan, Esq., addressed to Ms. Angela E. Brown (Youth Task Force, Executive Director), dated May 12th, 2003, alleging that said cassette tape was "blank". Your Honor,

said cassette tape was "reviewed for its audibility" prior to being mailed off, but that letter only proves Mr. Duncan's actions under bad faith. Mr. Duncan knowing that no matter what happens, both of you would cover for each other, submitted his response being in possession of said interview transcripts and cassette tape without addressing at a minimum, the full contents of Dr. Ragle's concession highlighted in said transcripts (which again, factually proves where I am actually (factually) innocent).

Furthermore, for the record Your Honor, viewing the severity and substance of the transcripts, Mr. Duncan in good faith was obligated to contact Dr. Ragle and investigate the veracity of said interview transcription by Ms. Brown. Mr. Duncan, Esq., and even yourself (Your Honor), in the past have even declined to consider the merits and/or substance inside Ms. Brown's Affidavit, which contradicts the Government's Case in Chief, in all your Orders and his response(s) (even the Government's most recent response filed on May 8th, 2003). Mr. Duncan's bad faith allegation that said tape is blank, is only a dilatory tactic and/or smoke screen, to attempt to justify his failure to address said tape recorded interview in his response and falsely allege that said cassette tape and transcript had arrived after the filing of the Government's response (knowing "crystal clear" that the Government "must concede" to my innocence). I had already notified Your Honor and Mr. Duncan that the tape would be delayed, until Ms. Brown had the spare time/opportunity to stop and fulfill my legal request. Your Honor, I cannot compel Ms. Brown to drop all her other commitments on her agenda, just to tend to my urgent needs; and, it's clear that I cannot be faulted and/or held responsible, because said delay is truly beyond my control as a pro-se, incarcerated litigant.

Therefore, for the sakes of this unique open letter, I would like for Your Honor to pay close attention to my analyzation surrounding the book titled, "Breach of Faith---The Fall of Richard Nixon, Chapter---Let Justice Be Done", to my present situation; and, the two (2) quotes at full lenght ... are as follows:

"Six months after the first approach he had finally accepted the role of special prosecutor only because the President's Chief of Staff, General Alexander Haig, had specifically promised, 'if necessary, you can take the President to court'. He was, Jaworski insisted, 'not after the President; I just want all the facts out ... we're in search of the truth [as I am striving to diligently develop on the record]. Wherever the truth leads, we're going to prosecute them' [and, said vigor to seek justice and prosecute corrupt cops/agents, should equally apply in this case, of the Syracuse-5]. Unless he was dissembling, it seemed to this reporter that Jaworski had no inkling, no fore-echo of what it was that Richard Nixon had been concealing, what the subpoenaed tapes would soon reveal" [as in my case, the tape reveals that Officer Howard, Jr. was assassinated by his own fellow partners and covered up, for over a decade].

"What happened this morning," said the tired man, 'proved what we teach in schools, it proved what we teach in colleges, it proved everything we've been trying to get across---that no man is above the law' [as Your Honor and Mr. Duncan, Esq.]. Jaworski was living now in a two-room-and-dinette suite at the Jefferson Hotel, his wife cooking for him, far from the comforts and pleasant estate of his life in Texas. But he intended to go through with this to the end [as I have previously asserted to Your Honor and Mr. Duncan, Esq.], he said, he had to, not for reward nor for fame, but simply because of the young people [as I have vowed to do in the past, repeatedly]. This case [as the case of the Syracuse-5, which challenges the "War on Drugs and Mass Incarceration"], said Jaworski, would shape what the young of America would think or say or do in this system for all of the next generation. Unless the young people believed, really believed in our institutions, the system simply would not work. He quoted Disraeli; according to his recall, Disraeli had said, 'the youth of the nation are the trustees of posterity'. His clients were the youth of the nation, his prosecution a defense of the system."

Id. At 14-15. (Breach of Faith---The Fall of Richard Nixon, Chapter--"Let Justice Be Done").

Likewise, in layman's term Your Honor, my reasons for fighting so hard and vigorously to prove my innocence (day in and day out, non-stop), is not being done to acquire personal freedom, fame/fortune, but for the sake of saving the system; for the children/youths (that might and/or will face the most heinous acts of criminalization, discrimination and corruption

against the African American, Latino and minority communities in the United States since the "War on Drugs", and now, the "War Against Terrorists" was declared), who might be targeted with similar acts of injustice(s) as myself, and are coming right behind me. And, most importantly, would not know how to defend themselves against injustice.

Whereas, Your Honor, I want to educate and prove to the youths of America, that the judicial system which is set up in the United States does indeed work. The sad part about this whole situation is, that the people who are placed in various high, important and/or critical positions (as Your Honor and Mr. Duncan, Esq.), to assure the American people that justice is being done, are actually the same individuals that are intentionally violating the laws, circumventing/misapplying procedures, rules and/or regulations ... causing the entire judicial system not to work i.e., in an attempt to right their wrongs; again, by thwarting the laws set up in America, therefore, causing the wheels of justice to turn very slow.

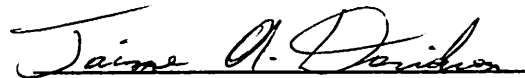
On that note Your Honor, all that really does, is discourage the people who support justice (from fighting and/or standing up for their rights and the Constitutional Rights of others), by spreading the myth that, "in the Land of Freedom, justice and equality for all, no matter what you do/say, you will never be treated fairly and/or be given justice, in any Court of Law." The reality regarding the aforementioned, is that all this actually does, is establish the statement that, "the race is not for the swift, but for those who can endure it until the end."

Hon. McCurn, S.J., me, taking such a strong stance for justice against Your Honor and the Government today, is "only" to prove to the children/youths of America that, "on that final road to success, to seek justice, one will 'not see' a crowd of people; because, it takes faith with God in their lives, discipline, patience, perserverance and the ability to stay focused and pace themselves etc., (executing strictly calculated/tactical moves, not to become frustrated too fast/too soon in what is actually a protracted struggle); but, to be able to successfully

cross the finish line and be victorious (with the will of God), in their quest for freedom, justice and equality." And, that will definitely wipe out all that myth/rumor the people have spread in fear for decades and decades throughout the United States, alleging that, "no matter how hard/long or even dedicated you might fight, your Constitutional Rights will never be protected and/or respected in America, as an African American, Latino, minority and/or poor person of color etc."

In closing, Your Honor, "anything that is man/woman made and/or done can be broken/defeated ... nevertheless, 'not' God made/done " Therefore, Hon. McCurn, S.J., in light of the aforementioned message, I am humbly coming before this Honorable Court respectfully requesting that justice be done in the most mighty way, if not for me per se, then please! do it for our children/youths, to allow them to see where the judicial system has worked in a real life situation/case. Your Honor, even most importantly, do it for the best interest of justice and to vindicate the judicial system from the Fraud committed upon the Court (which is Your Honor's duty to execute). And, after listening to Dr. Ragle's concessions in the tape recorded interview Ms. Brown mailed to Your Honor's chamber (proving my claims of being actually (factually) innocent and contradicting the Government's Case in Chief), GRANT my Motion For New Trial and/or GRANT me an Urgent Evidentiary Hearing ... and/or GRANT me whatever Your Honor deems just, proper and/or necessary as the law demands.

Respectfully Submitted,



Jaime A. Davidson, pro-se.

JAD/mb

cc: To All Interested Parties
To The News Media Community
To The Justice Community
File


Enclosure:

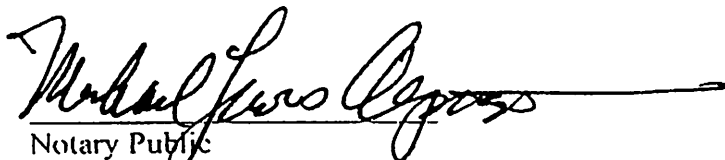
Affidavit of Mr. Louis M. Freeman, Esq.

Personally appeared before me, the undersigned notary duly authorized by law to administer oath, LOUIS M. FREEMAN, ESQ., being duly sworn, and states that he has personal knowledge of the following facts and they are true and correct.

1. That my name is LOUIS M. FREEMAN, ESQ. I am over the age of 18 years old and under no disability that would make me incompetent to testify.
2. That I, Louis M. Freeman, Esq., was appellant, Jaime A. Davidson's former appellate attorney;
3. That I am attorney-at-law located at 30 Vesey Street, Suite-100, New York, NY 10007;
4. That on or around January 10th, 2001 my office was contacted by the Chambers of the Honorable Neal P. McCurn, Senior Judge through his law clerk, inquiring if my signature found on my Statement of Affirmation contained in Mr. Davidson's Habeas Corpus Pleadings was authentic;
5. That I expressed to the honorable Judge McCurn's law clerk that my signature on that (my) Statement of Affirmation was indeed authentic;

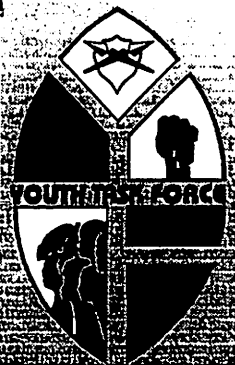
Sworn to and subscribed this 26th day of JUNE 2001


Louis M. Freeman


Notary Public
Commission Expires:

" ATTACHMENTS "

MICHAEL LEWIS ALPERSTEIN
Notary Public, State of New York
No. 01AL0052360
Qualified in Kings County
Commission Expires April 30, 2003



May 5, 2003

Via Fax – US Express Mail

Judge Neal P. McCurn
PO Box 7365
100 South Clinton Street
Syracuse, NY 13261-7365

Re: Cassette Tape & Transcript of Interview with Dr. Ragle

Dear Honorable Judge McCurn:

Pursuant to the above referenced matter, please find enclosed said materials to be attached to previously file motion via Jaime A. Davidson entitled: PETITIONER'S SECOND URGENT MOTION/NOTICE FOR THE RECORD TO REFLECT, DUE TO EXCEPTIONAL CIRCUMSTANCES, IN SUPPORT OF PETITIONER'S "MOTION FOR NEW TRIAL..." AND REQUEST FOR AN EVIDENTIARY HEARING, TO PREVENT ANY FURTHER MISCARRIAGE OF JUSTICE OF A PRISONER WHO'S ACTUALLY (FACTUALLY) INNOCENT

Said materials should be received as "Exhibit-J." It is our common business practice to record conversations for the purpose of keeping an accurate account of our work when deemed necessary. Said recordings are reflective of such purposes. If you have any questions, please feel free to contact our office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Angela Brown", with a long horizontal flourish extending to the right.

Angela Brown
Executive Director



*United States Attorney
Northern District of New York*

P.O. Box 7198
100 South Clinton Street
Syracuse, New York 13261-7198

315-448-0672
FAX: 315-448-0689

May 12, 2003

Ms. Angela E. Brown
Youth Task Force
PO Box 11078
Atlanta, GA 30310

Re: Davidson v. United States
Civil No. 5:00-CV-869 (NPM)

Dear Ms. Brown:

This office is in receipt of a transcript and audiotape in connection with the above proceeding. This is to advise while we have a copy of the transcript, the audiotape forwarded to us is blank. If you wish, please forward a second audiotape onto this office.

Thank you for your courtesies.

Very truly yours,

Glenn T. Suddaby
United States Attorney

By: 
John G. Duncan
Executive Assistant U.S. Attorney

JGD/pdb

cc: Jaime Davidson, Pro Se
Hon. Neal P. McCurn